

Walter O'Cheskey  
 Chapter 13 Trustee  
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IN THE UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF TEXAS  
 ABILENE DIVISION

IN RE:  
 JOHN WAYNE BENAVIDES

CASE NO: 13-10173-RLJ-13  
 HEARING DATE: 5/1/2014  
 HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
014 0 U	AFNI	\$395.08	015 0 U	CREDIT COLLECTION SERVICE	\$274.01
016 0 U	GEICO	\$125.00	017 0 U	HAMLIN MEDICAL CLINIC	\$280.00
018 0 U	KEY PROPERTY MANAGEMENT	\$1,560.00	019 0 U	PORTFOLIO RECOVERY ASSOCIATION	\$798.68
020 0 U	PORTFOLIO RECOVERY ASSOCIATION	\$771.31	022 0 U	TEXAS NATIONAL BANK	\$4,862.00

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
008 0	ABILENE TEACHERS FEDERAL CREDIT UNION	2004 DODGE STRATUS	\$1,756.64	\$1,845.68	5.25%	36	\$53.38 PAID BY TRUSTEE
009 0	ABILENE TEACHERS FEDERAL CREDIT UNION	2006 CHEVY COBALT	\$5,660.00	\$5,760.00	5.25%	36	\$174.22 PAID BY TRUSTEE
011 0 *	ONEMAIN FINANCIAL	2002 CHERVROLET TRAILBLAZER	\$0.00	\$4,862.00			SURRENDERED
036 0 *	FISHER COUNTY	2013 PROPERTY TAXES - 265 COUNTY RD 713	\$29.71	\$29.71			PD DIRECT BY DEBTOR

Not provided for in confirmed plan. See modification below.

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
010 0 U *	WORLD ACCEPTANCE CORPORATION HOUSEHOLD GOODS/AVOID Provided as secured/avoid; filed unsecured.	\$1,664.30	012 0 U	TEXAS GUARANTEED STUDENT LOAN CORP STUDENT LOAN	\$7,222.19
013 0 U	AMERICAN INFOSOURCE LP SERVICES/DIRECT TV	\$430.32	021 0 U	SECURITY FINANCE DBA SFCTX LOAN	\$373.66

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The secured claim filed by Fisher County in the amount of \$29.71 shall be fully secured and paid directly by the Debtor.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 5/1/2014 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT:

US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 2/27/2014

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

ABILENE TEACHERS FCU PO BOX 5706 ABILENE TX 79608  
ABILENE TEACHERS FEDERAL CREDIT UNION ATTN GREGORY PECK PO BOX 5706 ABILENE TX 79608  
ABILENE TEACHERS FEDERAL CREDIT UNION PO BOX 5706 ABILENE TX 79608  
ACS-PANHANDLE PLAINS PO BOX 7051 UTICA NY 13504  
AFNI ATTENTION: BANKRUPTCY 1310 MARTIN LUTHER KING DR BLOOMINGTON IL 61701  
AFNI PO BOX 3517 BLOOMINGTON IL 61702  
AMERICAN INFOSOURCE LP DIRECTV LLC MAIL STATION N387 2230 E IMPERIAL HWY EL SEGUNDO CA 90245  
CAVALRY PORTFOLIO SERVICE PO BOX 27288 TEMPE AZ 85282  
CAVALRY PORTFOLIO SERVICE LLC 500 SUMMIT LAKE DRIVE SUITE 400 VALHALLA NY 10595  
CREDIT COLLECTION SERVICE TWO WELLS AVE NEWTON MA 02459  
CROCKETT RENTALS LLC C/O JT MORGAN PO BOX 1311 ODESSA TX 79760  
FISHER COUNTY C/O PERDUE BRANDON FIELDER PO BOX 13430 ARLINGTON TX 76094  
GEICO 1 GEICO BLVD FREDERICKSBURG VA 22412  
HAMLIN MEDICAL CLINIC 350 NW AVE F HAMLIN TX 79520  
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101  
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101  
JEFFERSON CAPITAL SYSTEMS LLC PO BOX 7999 SAINT CLOUD MN 56302  
JEFFERSON CAPITAL SYSTEMS LLC PO BOX 953185 ST LOUIS MO 63195  
JOHN WAYNE BENAVIDES PO BOX 216 MCCAULLEY TX 79534  
KEY PROPERTY MANAGEMENT 210 ARNOLD BLVD ABILENE TX 79605  
KEY PROPERTY MANAGEMENT PO BOX 7045 ABILENE TX 79608  
ONEMAIN FINANCIAL CITIFINANCIAL INC PO BOX 6042 SIOUX FALLS SD 57117  
ONEMAIN FINANCIAL CITIFINANCIAL INC PO BOX 70912 CHARLOTTE NC 28272  
ONEMAIN FINANCIAL PO BOX 499 HANOVER MD 21076  
PORTFOLIO RECOVERY ASSOCIATES LLC PO BOX 41067 NORFOLK VA 23541  
PORTFOLIO RECOVERY ASSOCIATION PO BOX 12914 NORFOLK VA 23541  
SECURITY FINANCE DBA SFCTX CENTRAL BANKRUPTCY AND REC DEPARTMENT PO BOX 1893 SPARTANBURG SC 29304  
SECURITY FINANCE SFC CENTRALIZED BANKRUPTCY PO BOX 1893 SPARTANBURG SC 29304  
TEXAS GUARANTEED STUDENT LOAN CORP PO BOX 659602 SAN ANTONIO TX 78265  
TEXAS GUARANTEED STUDENT LOAN PO BOX 83100 ROUND ROCK TX 78683  
TEXAS NATIONAL BANK PO BOX 510 SWEETWATER TX 79556  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WALNUT HILL RENTALS LLC PO BOX 579 BEALLS TN 38006  
WORLD ACCEPTANCE CORPORATION ATTN BANKRUPTCY PROCESSING CENTER PO BOX 6429 GREENVILLE SC 29606  
WORLD FINANCE CORP 1006 1/2 LAMAR STREET SWEETWATER TX 79556  
WORLD FINANCE CORPORATION 1006 1/2 LAMAR ST SWEETWATER TX 79556